

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

COMPETITIVE PRODUCT PRICES
INBOUND COMPETITIVE MULTI-SERVICE AGREEMENTS WITH
FOREIGN POSTAL OPERATORS 1

DEUTSCHE POST– UNITED STATES POSTAL SERVICE
BILATERAL AGREEMENT (MC2010-34)
NEGOTIATED SERVICE AGREEMENT

Docket No. CP2013-65

**NOTICE OF THE UNITED STATES POSTAL SERVICE OF FILING MODIFICATION
TO THE DEUTSCHE POST – UNITED STATES POSTAL SERVICE
BILATERAL AGREEMENT**
(May 2, 2016)

In Order No. 1761, the Postal Regulatory Commission (Commission) approved the addition of the agreement that is the subject of this docket, a bilateral agreement between the United States Postal Service (“Postal Service”) and Deutsche Post AG (“Agreement”), to the Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 (MC2010-34) product.¹

In accordance with Order No. 1761, the Postal Service hereby advises that the Postal Service and Deutsche Post recently entered into a Modification to the Agreement that provides for its termination effective approximately 10 months ago, on June 30, 2016. A redacted copy of the executed Modification accompanies this Notice as Attachment 1, while the unredacted version is filed under seal. With respect to the nonpublic version, the Postal Service incorporates its Application for Non-Public

¹ PRC Order No. 1761, Order Approving Addition of Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 Negotiated Service Agreement (with Deutsche Post), Docket No. CP2013-65, September 26, 2013.

Treatment filed in conjunction with its notice on June 6, 2013 in this docket,² subject to a supplement to sections (3) and (4) to the effect that the information withheld relates to future negotiations between the Postal Service and Deutsche Post and such information consists of sensitive business information that would inform competitors of future planning between the parties. As with the information regarding negotiated pricing withheld in the Agreement, other foreign postal operators could use the information to their advantage in negotiating the terms of their own agreements with the Postal Service. The Postal Service therefore requests that the Commission grant its application for non-public treatment of the redacted portion of the Modification.

Therefore, the Postal Service asks the Commission to remove the Inbound Competitive Multi-Service Agreement with Deutsche Post from the competitive products list effective July 1, 2016.

Respectfully submitted,

UNITED STATES POSTAL SERVICE
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May 2, 2017

² United States Postal Service Notice of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with a Foreign Postal Operator (Deutsche Post), PRC Docket No. CP2013-65, June 6, 2013, attachment 4.

**MODIFICATION ONE TO THE
DEUTSCHE POST AG - UNITED STATES POSTAL SERVICE
STRATEGIC BILATERAL AGREEMENT**

This Modification amends the Deutsche Post AG – United States Postal Service Strategic Bilateral Agreement (“Agreement”) between the United States Postal Service (“USPS”), an independent establishment of the Executive Branch of the Government of the United States, with offices at 475 L’Enfant Plaza SW, Washington, DC 20260, and Deutsche Post AG (“Deutsche Post”), a company registered in Germany with a registered office at Charles-de-Gaulle Straße 20; 53113 Bonn; Germany under registered Number (AG Bonn) HRB 6792, which was signed by both the USPS and Deutsche Post on May 31, 2013. Deutsche Post and the USPS may be referred to individually as a “Party” and together as the “Parties.”

On request of USPS, the Modification replaces the third sentence in Article 22 of the Agreement with the following replacement text:

The Agreement will remain in effect until June 30, 2016.

All other terms and conditions of the Agreement shall remain in force.

[REDACTED]

Deutsche Post acknowledges that as part of securing approval of this Agreement and in other subsequent regulatory filings, this Modification and supporting documentation will be filed with the U.S. Postal Regulatory Commission (“Commission”) in a docketed proceeding (CP2013-65). Deutsche Post also acknowledges that the USPS shall furnish a copy of this Modification to the U.S. Department of State. Deutsche Post authorizes the USPS to determine the scope of information that must be made publicly available in any Commission docketed proceeding in which information related to this Modification must be filed. Deutsche Post further understands that any unredacted portion of this Modification or supporting information may be posted on the Commission’s public website, <http://www.prc.gov>. In addition, the USPS may be required to file information in connection with this Agreement (including revenue, cost, or volume data) in other Commission dockets including the Commission docket number for the Annual Compliance Report (ACR) for the USPS fiscal year(s) in which this Agreement is in effect. Each ACR docket has a distinct docket number, such as ACR201#, in which “201#” signifies the USPS fiscal year to which the ACR pertains. Deutsche Post has the right, in accordance with the Commission’s rules, to address its confidentiality concerns directly with the Commission. The procedure for making an application to the Commission for non-public treatment of materials believed to be protected from disclosure is found at Title 39, Code of Federal Regulations, Section 3007.22, on the Commission’s website, <http://www.prc.gov/Docs/63/63467/Order225.pdf>. At Deutsche Post’s request, the USPS will notify Deutsche Post of the docket number of the Commission proceeding, if any, used in connection with the filing of this Modification.

The Parties may execute this Modification in one or more counterparts (including by facsimile or by electronic means such as .pdf format). Not all Parties need be signatories to the same document. All counterpart signed documents shall be deemed an original and one instrument.

IN WITNESS WHEREOF, the Parties agree to be bound as of the latest date of signature to the terms and conditions of this Modification.

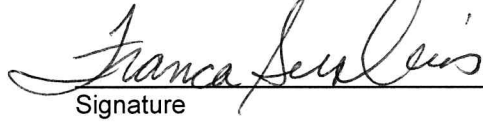
DEUTSCHE POST


Signature

Senior Vice President
International Mail & International Relations

Title
17/03/ 2017
Date

UNITED STATES POSTAL SERVICE


Signature

Managing Director, Global Business

Title
5/1/17
Date

DEUTSCHE POST


Signature

Executive Vice President
Operations Parcel

Title
7/04/ 2017
Date